

Hutto's Improved Noise Ordinance

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Hello citizens of Hutto! I'd like to take a few minutes to discuss the recently adopted (July 7, 2016) revised noise ordinance. The bulk of the revisions appear here:

Maximum decibel levels. No person shall cause, allow, or permit the making of a noise, in the city limits or within 500 feet outside the city limits, which exceeds 85 dBa during the daytime or 70 dBa during the nighttime as measured pursuant to subsection (b) herein. A violation of this section is hereby declared a nuisance.

(1) *Daytime is defined as a continuous time period from 7:00 a.m. to 10:00 p.m.*

(2) *Decibel level (dB) is defined as the unit of measurement for sound pressure level at a specified location.*

(3) *dBa is defined as the A-weighted unit of sound pressure level.*

(4) *Nighttime is defined as a continuous time period from 10:00 p.m. to 7:00 a.m.*



(b) *Noise measurement. Measurement of noise pursuant to this section shall be in accordance with this section.*

What this means to your Hutto Police Department and our community is that we now have the ability and obligation to measure the noise levels when we respond to a nuisance noise complaint. This change removes the reasonable standard and replaces that standard with a measurable decibel level. This important change removes the argument of what one person finds reasonable from another.

A few examples of what 85 decibels sounds like are a Garbage disposal, a dishwasher, an average factory, a freight train from roughly 50 feet, a propeller plane flyover at 1000 feet (88 dB); diesel truck passing by at 40 mph at 50 feet (84 dB), a diesel train at 45 mph at 100 feet (83 dB). Food blender (88 dB), milling machine (85 dB), and on the lower end a garbage disposal (80 dB).

A few examples of what 70 decibels sounds like are a passenger car at 65 mph at 25 feet (77 dB), the freeway at 50 feet from pavement edge (76 dB), Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).

There is some judgement required, as the ordinance requires that in order to be considered a nuisance at least one of the following conditions be met:

Any unreasonably loud, disturbing, unnecessary noise which exceeds maximum decibel levels pursuant to [section 14.03.001\(a\)](#) that is measured in accordance with [section 14.03.001\(b\)](#) thereby causing material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited.

(b) *Any noise of such character, intensity and continued duration which exceeds maximum decibel levels pursuant to [section 14.03.001\(a\)](#) that is measured in accordance with [section 14.03.001\(b\)](#) thereby substantially interfering with the comfortable enjoyment of private homes of persons of ordinary sensibilities is hereby declared to be a nuisance and is hereby prohibited.*

How this would work as far as enforcement goes, is that a citizen would hear what they consider to be a very loud party coming from a neighbor's home and call us to help. Upon arrival one of our officers would deploy our new A weighting Sound Level Meter, while standing on the

complainant's property line, and blocking the Sound Meter from wind and other ambient noise, measure the sound. If this complaint came in on a Saturday afternoon and the Sound Meter showed a level of 75 dB we would contact both the complainant and the noisy party and advise both that while the noise does not rise to a the level of a city ordinance violation a complaint has been made and a lower volume would be appreciated.

Using the same scenario as above but at 11:00pm we would still contact both parties, however the people responsible for the loud party may be cited for violating the noise ordinance (VCO Noise).

There are a few exceptions to the ordinance and those exceptions are as follows:

The following acts and sounds shall be exempt from the requirements of this article.

- (1) *The emission of sound for the purpose of alerting persons to an emergency;*
- (2) *Sound produced by emergency vehicles;*
- (3) *Sound produced by a vehicle motor in good working order while the vehicle is moving on a public right-of-way, public waterway, airport runway, or railroad;*
- (4) *Sound produced by any governmental entity in the performance of a governmental function;*
- (5) *Sound generated by parade spectators and participants in the parade route during a permitted parade; by outdoor celebration participants for the general welfare of the public;*
- (6) *Sound generated at a religious event, during the daytime, held on premises that are regularly used for worship services;*
- (7) *The use and operation of bells or an amplified, mechanical bell system in connection with the use and occupancy of a church structure;*
- (8) *Sound generated from persons of reasonable behavior playing at a park or playground;*
- (9) *Any utility or roadway maintenance or repairs in residential areas during the daytime and emergency repairs related to public health, safety and welfare of the residents, which are allowed at all hours;*
- (10) *The sounding of any horn or signal device from a motor vehicle as a warning device.*

This is a broad overview of the revised noise ordinance for a complete copy of the ordinance please visit the City's Website. The complete listing of the City of Hutto Ordinances can be found on the Website (www.huttotx.gov), by using entering Code of Ordinances in the search feature.



